

EDUCATION DEPARTMENT

The 11th June, 1969

No. 4034-Ed.-I-69/14965.—Whereas it appears to the Governor of Haryana that land is likely to be needed by the Government, at the public expense, for a public purpose, namely, for the play grounds for the S.A. Jain College, Ambala City, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorise the Officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality, may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Ambala District.

SPECIFICATION

District	Tehsil	Village	Area	Description	
				Khasra No.	Area
Ambala	Ambala	Patti Jattan	5 Marlas		K. M.
		Ambala City		364	0 5
		H.B. No.38			
				Total	5 Marlas

B. L. AHUJA, Secy.

TECHNICAL EDUCATION DEPARTMENT

The 17th June, 1969

No. 3406-PWIII(I)-69/16849.—On transfer Shri Sushil Kumar, Lecturer in Civil Engineering assumed charge of his duties at the Government Polytechnic, Ambala on 24th May, 1969 (forenoon).

No. 3405-PWIII(I)-69/16855.—On appointment Shri Kewal Krishan Mohindroo assumed charge of the post of officiating Head of the Department in Mechanical Engineering, Government Polytechnic, Ambala on 29th May, 1969 (forenoon).

R. L. N. AHOOJA, Secy.

PUBLIC WORKS DEPARTMENT

IRRIGATION BRANCH

The 16th June, 1969

No. 4223 Project.—Whereas it appears to the Governor of Haryana that land to be required to be taken by Government, at the public expense, for a public purpose, namely, for constructing Mitrol Drain from R.D. 0 to Tail R.D. 32550 in tehsil Palwal, district Gurgaon, it is hereby notified that land in the locality described below is likely to be required for the above purpose.

This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Further in exercise of the powers under the said Act, the Governor of Haryana is pleased to direct that action under section 17 shall be taken in this case on the ground of urgency and provision of section 5(a) will not apply in regard to this acquisition.

SPECIFICATION

District	Tehsil	Village	Area in Acres	Boundary
Gurgaon	Palwal	Seoli	2.10	
		Khatela	11.90	
		Aurangabad	25.39	
		Phulwari	0.37	
		Total	39.76	A strip of land of Mitrol Drain in a length of 32,550 feet varying in widths running generally in the direction of north to south-west as demarcated at site and as shown on the index plan.

By order of the Governor of Haryana,

B. K. UPPAL,

Chief Engineer, Irrigation Projects,
Haryana.P. W. D., BUILDINGS AND ROADS
BRANCH

CORRIGENDUM

The 13th June, 1969

Government notification No. 2665-PWIII (3)-69/12521, dated the 16th May, 1969, the following shall be read instead of the existing Serial No. 5:—

"5. Shri Rajinder Kumar Garg."

No. 3334-PWIII (3)-69/16577.—In Haryana

R. I. N. AHOOJA, Secy.

LABOUR DEPARTMENT

The 28th May, 1969

No. 3153-A.S.O.II-Lab-69/13210.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. IV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Chandigarh in respect of the dispute between the workmen and the management of M/s Rohtak District Transport Co-operative Society Ltd., Rohtak :—

BEFORE SHRI K. L. GOSAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
CHANDIGARH

Reference No. 29 of 1968

between

THE WORKMEN AND THE MANAGEMENT OF M/S ROHTAK DISTRICT TRANSPORT
CO-OPERATIVE SOCIETY LTD., ROHTAK

Present :

Shri Madusudan Saran, for the workmen.

Nemo, for the management.

AWARD

An industrial dispute having come into existence between the workmen and the management of M/s Rohtak District Transport Co-operative Society Ltd., Rohtak, the same was referred for adjudication of this Tribunal under clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947,—*vide* Haryana Government notification No. ID/RK/47-A/67/ 8752, dated 1st April, 1968. The three items of disputes which are mentioned in the aforesaid notification are as under—

1. Whether the workmen with headquarters in Delhi should be paid 'A' Class city allowance. If so; with what details and from which date ?
2. Whether the retrenchment of Sarvshri Harbans Lal, Sudershan Kumar, Lal Singh, Bal Krishan, Rakha Singh and Kalap Nath was justified and in order ? If not, to what relief are they entitled ?
3. Whether Shri Bhim Singh, Conductor should be paid wages for the period from 1st April, 1967 to 30th September, 1967. If so, with what details ?

Usual notices were issued to the parties and in response to the same the workmen filed their statement of claims but the management did not file any written statement. On the date fixed for filing of the written statement, namely, 19th April, 1968 a written request was made by the management for adjournment of the case. The only ground given in support of the said request was that the Managing Director of the Company was seeking election for Haryana Assembly. I did not regard this ground as sufficient for adjournment but in the

interest of justice I agreed to give an opportunity to the management to file their written statement conditionally on their paying Rs. 32 as costs for the adjournment. The management was directed to file their written statement on or before the 21st of May, 1968 for which date the case was fixed for hearing at the office of the Labour Court, Rohtak. The management did not file any written statement on the last mentioned date, i.e., 21st May, 1968 and no one even cared to appear for the management or to pay the costs of the adjournment. As a result of the above, ex-parte proceedings were taken against the management and the workmen were directed to produce ex-parte evidence. Although the case was adjourned twice for production of ex-parte evidence, the management did not care to watch the progress of the case or to show any anxiety to have the ex-parte proceedings set aside. The workmen examined their ex-parte evidence on the 3rd of September, 1968. My findings on the various items of dispute are as under:—

Item No. 1.—This is fully proved by the evidence of Udey Singh, Driver and Shri Madan Lal Gupta, General Secretary of District Motor Transport Workers Union, Karnal that some of the workmen of the present concern have to stay at Delhi which is one of the places in the route permits and have to incur extra expenses for staying there. It is also proved that while certain other similar concerns are comparable units are paying special allowance to their workmen in similar circumstances, the present concern is not paying any such allowance. The four similar concerns who are paying special allowance to their workmen under similar circumstances were named by these two witnesses and they are (1) M/s The Karnal Co-operative Transport Society Ltd., Karnal, (2) M/s Modern Transport Co-operative Society Ltd. (3) M/s Mewat Transport Co-operative Society Ltd., and (4) and M/s Ithad Transport Company Ltd. In M/s Karnal Co-operative Transport Society Ltd., Karnal such workmen get fixed allowance at the following rates:—

- (1) Those who get wages between Re. 1 to Rs. 30 per month get Rs. 12 as allowance per month.
- (2) Those who get wages between Rs. 31 to Rs. 100 per month get Rs. 17 as allowance per month.
- (3) Those who get wages between Rs. 100 to Rs. 200 per month get Rs. 25 as allowance per month.

There is no evidence, however, as to what allowances are paid by the other three units mentioned above. Taking all the circumstances into consideration, I feel the rates which are being paid by the Karnal Co-operative Transport Society Ltd., Karnal, are quite reasonable. I, therefore, direct the management to pay allowance at the same rates to all those workmen who have their Headquarters at Delhi. The management shall pay the said allowance with effect from 1st November, 1968.

Item No. 2.—The management is alleged to have retrenched the workmen mentioned in this item and onus lay upon them to justify the said retrenchment. Since they have not cared to contest the case, no evidence has been brought on the record to prove the justification of the retrenchment. On the other hand the witnesses produced by the workmen have stated that the retrenchment was made simply to enable the directors of the management to get their own men employed in the concern. It has also been stated by the two witnesses that the persons junior to the retrenched employees are even now working in the concern and that the retrenchment infringed the rule "Last come first go". I, therefore, hold that the retrenchment in question was unjustified and direct the management to re-instate the retrenched employees with continuity of and without any break in service. They would also pay them back wages at full rates from the date of retrenchment of each of them to the date each of them is re-instated.

Item No. 3.—It is stated on behalf of the workmen that Bhim Singh has settled with the management and wages have been paid to him as per said settlement and no relief is sought in respect of him. The demand qua him is, therefore, dismissed.

No order as to costs.

Dated 12th September, 1968.

K. L. GOSAIN,

Presiding Officer,

Industrial Tribunal, Haryana,
Chandigarh.

No. 1069, dated Chandigarh, the 13th September, 1968

The award be submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required by section 15 of the Industrial Disputes Act, 1947.

K. L. GOSAIN,

Presiding Officer,

Industrial Tribunal, Haryana,
Chandigarh.